

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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SERGEY V. ANDREYEV,

Plaintiff,

ORDER

v.

DENNIS E. RICHARDS, *et al.*,

09-cv-651-slc

Defendants.

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Plaintiff is proceeding on his claim that defendants were deliberately indifferent to his serious dental needs. Now before the court are: (1) defendants' motion to dismiss defendant Dennis E. Richards; (2) plaintiff's motion for an extension of time to respond to defendants' motion for summary judgment; and (3) plaintiff's letter concerning an invoice for a copy of his deposition transcript.

First, defendants move to dismiss defendant Sheriff Richards from this case because plaintiff was granted leave to proceed against him solely for the purpose of determining the identities of the Doe defendants. Plaintiff does not object, but seeks to reserve his right to add the Sheriff at a later date if discovery so requires. Defendant Richards will be dismissed because the identities of the Doe defendants have been determined. Plaintiff will not be able to add Richards as a defendant later because he was not allowed to proceed on any claim against Richards.

Second, plaintiff requests a thirty day extension of time to file his brief in opposition to defendants' motion for summary judgment, which is due on November 1, 2010. In his affidavit, he states that defendants' responses to his discovery requests are due on October 10 and 22, 2010. I will partially grant plaintiff's request for an extension of time until November 12, 2010

to file his brief in opposition to defendants' motion for summary judgment. Defendants may reply no later than November 22, 2010.

Last, by letter dated October 4, 2010, plaintiff informed the court that he had received an invoice for a copy of his September 13, 2010 deposition transcript. He asks if there is a way that he can receive this copy of his transcript at no charge. This court has no funds available to pay such litigation costs for indigent inmates. If plaintiff prevails in this lawsuit, then he may ask to be reimbursed for payment of this cost from defendants pursuant to 28 U.S.C. § 1920.

#### ORDER

IT IS ORDERED that:

1. Defendants' motion to dismiss Dennis E. Richards as a defendant in this case, dkt. 88, is GRANTED.

2. Plaintiff Sergey Andreyev's motion for an extension of time to file his brief in opposition to defendants' motion for summary judgment, dkt. 125 is GRANTED IN PART: plaintiff may have until November 12, 2010 to file his opposition materials and defendants may reply not later than November 22, 2010 to reply. Plaintiff will not receive another extension of this deadline.

3. Plaintiff's request to obtain a copy of his deposition transcript, dkt. 124, is DENIED.

Entered this 18<sup>th</sup> day of October, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge